IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

Civil Application No.7648 of 2007
In
First Appeal No.190 of 2007

(New India Assurance Company Ltd., Walcut Compound, Amravati v. Smt. Kamlabai Wd/o Kailashchandra Agrawal and others)

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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Shri A.J. Pophaly, Advocate for the Appellant.
Shri V.M. Deshpande, Advocate for Respondent Nos.1 to 3.
Shri D.N. Kukdey, Advocate for Respondent No.8.

CORAM : K.J. Rohee & R.C. Chavan, JJ.
DATE : 20th November, 2007

1. Heard the learned counsel for the parties.

2. The compensation of Rs.20 lacs has been granted to the claimants, who are the mother, brother and sister of the deceased. According to the learned counsel for the appellant/insurer, the compensation is on a higher side and it should not have exceeded Rs.5 lacs.

3. Considering the submissions before us, we think it expedient to allow the applicant/claimant No.1 Smt. Kamlabai Wd/o Kailashchandra Agrawal to withdraw a sum of Rs.3 lacs (Rs.Three Lacs) only at this stage.

4. The Registry is directed to invest the rest of the amount in a nationalized bank initially for a period of three years.

5. The applicant/claimant No.1 is at liberty to move the Court for

withdrawal of further amount, although the amount may be invested in fixed deposit.

6. The civil application is disposed of.

JUDGE JUDGE

pdl.